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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS BROWN, Individually And On Behalf  
of All Others Similarly Situated,

Plaintiff,

- against -

CHINA SUNERGY CO., LTD., TINGXIU LU,  
JIANHUA ZHAO, JAMES SHAOFENG QI,  
GUANGYOU YIN, FENGMING ZHANG,  
SHILIANG GUO, MERRILL LYNCH, PIERCE,  
FENNER & SMITH INC., COWEN and CO., LLC,  
and JEFFERIES & CO., INC.,

Defendants.  
----- X

Civil Action No. 1:07-cv-07895  
(DAB)

**STIPULATION AND ORDER  
EXTENDING TIME TO  
RESPOND TO COMPLAINT**

It is hereby STIPULATED AND AGREED by and between the undersigned counsel for  
the parties as follows:

1. The Lead Plaintiff shall, no later than 60 days following its appointment as Lead  
Plaintiff, file an Amended Consolidated Complaint (the "Complaint"), which Complaint shall  
supersede all previous complaints filed in this action.

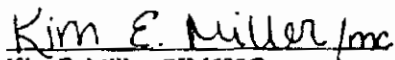
2. Defendants China Sunergy Co., Ltd., Merrill Lynch, Pierce, Fenner & Smith  
Incorporated, Cohen & Company, LLC, and Jefferies & Company, Inc. (collectively,  
"Defendants") shall, no later than 60 days following service of the Complaint, answer, move, or  
otherwise respond to the Complaint. Defendants shall have no obligation to answer or otherwise  
respond to the initial complaints filed in the action.

3. The Lead Plaintiff shall, no later than 60 days after service of any motions to  
dismiss, serve and file its response or opposition.

4. Defendants shall, no later than 30 days following service of the opposition to any motions to dismiss, serve and file any reply briefs.

Dated: New York, New York  
January 14, 2008

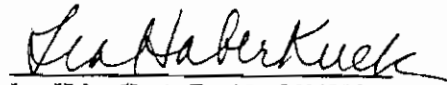
Respectfully Submitted,



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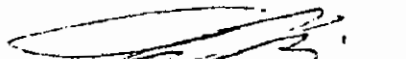
*Attorneys for Plaintiff Thomas Brown  
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and Proposed Lead Counsel for the Class*



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*Attorneys for Defendants Merrill Lynch, Pierce,  
Fenner & Smith Incorporated, Cowen and Company, LLC, and  
Jefferies & Company, Inc.*

SO ORDERED  
  
1/25/08  
DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE